

JPW

1624



Patent Application  
Docket No. PC11812AAKM

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Hon. Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this 7<sup>th</sup> day of May, 2004.

By Tracy Mycroft  
(Signature of person mailing)  
Tracy Mycroft  
(Typed or printed name of person)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
ROBERT L. DOW, et al.  
  
Serial No.: 10/086,588  
Filed February 28, 2002  
For: BETA 3 AGONISTS AND USES  
THEREOF

Group Art Unit: 1624  
Examiner: COLEMAN, BRENDA LIBBY

**AMENDMENT AND  
RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents and Trademarks  
Alexandria, Virginia 22313-1450

Dear Sir:

This amendment is being filed in response to an office action mailed on April 28, 2004. Applicants hereby elect with traverse the claims of Group I (Claims 1-44, 49, 50, 57 and 58) drawn to compounds, compositions and methods of use the compounds of Formula (I). In response to Examiner's request for an elected species, Applicants hereby provisionally elect the compound of Example 2B.

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks begin on page 20 of this paper.